

## **Factsheet: The Department of State's Accomplishments Promoting the Human Rights of Lesbian, Gay, Bisexual and Transgender People**

“Gay rights are human rights, and human rights are gay rights, once and for all.”

-- Secretary Hillary Clinton, June 2010, Washington, D.C.

Human rights are inalienable and belong to every person, no matter who that person is or whom that person loves. Since January 2009, Secretary Clinton has directed the Department to champion a comprehensive human rights agenda—one that includes the protection of the human rights of lesbian, gay, bisexual and transgender (LGBT) people. The Department uses its full range of diplomatic and development tools to press for the elimination of violence and discrimination against LGBT people worldwide, particularly those forced to flee their homes or countries.

The Department continues to counter efforts globally that discriminate against, criminalize, and penalize members of the LGBT community. The United States recognizes the unflagging efforts and courage of advocates and organizations fighting to promote equality and justice around the world, especially in countries where doing so puts their lives and their families at risk. At the same time, U.S. personnel policies must protect the human rights of all LGBT people, and consular and other tools must be used to provide equal access and equal rights to LGBT people.

U.S. leadership on advancing human rights for LGBT people is consistent with the Obama Administration's policy of principled engagement with the world and our commitment to uphold universal standards that apply to everyone. By supporting the inherent dignity of each person we help to foster a just world for all people and we lead by example, enhancing U.S. strategic interests as we advance our values.

Under the Secretary's leadership, the Department's recent accomplishments include:

### **Bilateral and Regional Engagement:**

- The Department has included the status of the human rights of LGBT people in each country included in the Department's annual Human Rights Report.
- The State Department works with U.S. embassies, civil society, and multilateral mechanisms, agencies, and forums to encourage countries to repeal or reform laws that criminalize LGBT status.
- Alongside Ugandan civil society's strong and sustained outreach to parliamentarians and the Uganda Human Rights Commission, and advocacy of other governments, U.S.

Government advocacy against Uganda's proposed Anti-Homosexuality Bill established a precedent for the United States, the international donor community and civil society to collaborate to counter efforts to criminalize same-sex conduct.

- The U.S. Ambassador called on the Honduran government to investigate a rise in violence and the unsolved murders of over 30 LGBT individuals. With U.S. Government support, Honduras created a special unit to investigate crimes against vulnerable groups, including women, LGBT people, and journalists. A U.S. prosecutor and senior detective collaborated with the unit to prosecute the perpetrators of these crimes.
- The Bureau of African Affairs compiled a complete analysis of the LGBT environment for every country on the continent, which includes comprehensive information on discriminatory laws, NGOs, societal attitudes, and prosecutions of LGBT individuals. This analysis will guide U.S. diplomatic efforts to promote the human rights of LGBT persons across the continent.
- In the Bureau of European and Eurasian Affairs, Chiefs of Mission are speaking publicly on behalf of human rights of LGBT people, engaging with local media on LGBT issues, and building strong partnerships with NGOs. When many European countries celebrated the International Day Against Homophobia and Transphobia in May and LGBT Pride Month in June, U.S. embassies engaged robustly, with Ambassadors marching in Pride parades and Embassy staff securing high-profile speakers and advocates for LGBT Pride events.
- The Bureau of Western Hemisphere Affairs (WHA) authored the Department's first regional strategy on LGBT engagement after analyzing criminalization of and discrimination against LGBT persons. The strategy promotes expanding public outreach, and awareness of human rights of LGBT people, by creating and leveraging partnerships and utilizing multilateral venues like the United Nations and the Organization of American States. WHA holds regular roundtables with LGBT groups and civil society organizations and, in March, hosted the first interagency conference on LGBT communities. The U.S. Ambassador to Jamaica constantly raises LGBT issues in conversations with Jamaican officials and media. During Pride Month, the Assistant Secretary for Western Hemisphere Affairs met in San Salvador with LGBT civil society organizations from 21 countries.
- The Bureau of East Asian and Pacific Affairs continues to promote LGBT issues through advocacy, outreach, and high-level engagement. Embassy Jakarta organized a meeting between LGBT rights groups and Under Secretary of State for Democracy and Global Affairs Maria Otero in July 2011.

### **Successfully Promoting LGBT Human Rights In Multilateral Forums**

- At the UN Human Rights Council's (HRC) June 2011 session, the United States, South Africa, and Latin American and European Union countries led efforts to pass the first-ever UN resolution on the human rights of LGBT persons.
- At the HRC's March 2011 session, the United States co-chaired efforts of a core group of countries to issue a statement entitled "Ending Acts of Violence and Related Human Rights Violations Based on Sexual Orientation and Gender Identity." The statement garnered the support of 85 countries, including 20 that had never before supported similar statements on the promotion of LGBT persons' rights.
- In December 2010, the State Department led efforts at the UN General Assembly to reinsert language on sexual orientation into a resolution on extrajudicial, summary, and arbitrary executions, after the language's removal in committee. The amendment was approved by a 93-55 margin.
- The State Department is working to establish a special rapporteur on the protection of the human rights of LGBT people within the Inter-American Commission for Human Rights, after President Obama raised the importance of LGBT issues in a meeting with Brazilian President Dilma Rousseff earlier this year.
- The United States also partnered with Brazil and others to secure adoption of a resolution on human rights, sexual orientation, and gender identity at the Organization of American States General Assembly in June.

### **Protecting LGBT Refugees, Asylum Seekers, and Migrants**

- The Bureau of Population, Refugees, and Migration (PRM) is working to improve the security of LGBT refugees, asylum seekers, and migrants by implementing a comprehensive LGBT refugee protection strategy developed in coordination with the Department of Homeland Security, the Department of Health and Human Services, the UN High Commissioner for Refugees (UNHCR) and NGOs.
- Progress includes additional funding to UNHCR in places such as Turkey to help with resettlement of LGBT refugees, training for staff working on refugee protection, and the expansion of PRM's NGO guidelines to ensure partners know that LGBT refugees and asylum seekers are a priority population of concern.

- PRM is also funding new programs in this area, including research to develop best practices for serving LGBT refugees in urban areas and a pilot initiative in Costa Rica on the needs of LGBT migrants.

### **Supporting LGBT Human Rights Defenders and Civil Society Groups**

- To strengthen civil society groups, support advocates, and increase public dialogue, the Department of State is launching the Secretary's Global Equality Fund, a public-private partnership initiative to advance the human rights of LGBT people. The State Department is contributing more than \$3 million to this important effort, and will seek partnership commitments from donor governments, corporations, and foundations.
- The Bureau of Democracy, Human Rights and Labor (DRL) will support programming through the Global Equality Fund in the following priority areas:
  - **Advance Justice:** Support programs that document violations of the human rights of LGBT individuals, provide legal assistance, and enhance NGO capacity to advocate before host governments and in multilateral forums to ensure policy and practice conform to international human rights standards.
  - **Support Advocates:** Provide emergency assistance to NGOs and human rights defenders facing governmental or societal threats, and increase organizational capacity to respond to security concerns.
  - **Increase Public Dialogue:** Support programs that enhance public awareness and further positive dialogue, such as inclusive civic education and cultural activities, and build diverse human rights coalitions around public messaging.
- The Fund will complement DRL's existing programs, which include a project in Sierra Leone to increase the capacity of the LGBT community and a regional documentation project in Eastern and Southern Africa to monitor, document, and address human rights violations and abuses in their communities.
- The personal security of LGBT human rights defenders remains a top priority for the Department. The Fund will enhance the Department's efforts to provide human rights defenders with legal representation, security, and, when necessary, relocation support. Since 2010, the Department has provided emergency assistance to over 40 LGBT advocates in 11 countries throughout Africa, Asia, and the Middle East.

### **Championing Human Rights through Public Diplomacy**

- U.S. Embassies worldwide are declaring support for the human rights of LGBT people through innovative public diplomacy.
- In Slovakia, where the 2010 Pride parade ended in violence, Embassy staff brought together more than 20 Ambassadors from other nations to sign a public statement of support for the march and hosted a debate. The U.S. Ambassador marched in the 2011 parade next to the mayor of Bratislava, Slovakia's capital.
- U.S. Embassy staff efforts helped convince pop artist and LGBT advocate Lady Gaga to perform at EuroPride Rome in June 2011. Secretary Clinton's quote, "Gay rights are human rights and human rights are gay rights," was included in the event's opening remarks and seen throughout the crowd on tee shirts and stickers.
- In Guinea, the U.S. Embassy hosted a public screening of the Guinean film *Dakan*, the first known film on LGBT themes made in Africa.
- In Serbia, the U.S. Ambassador published an op-ed in the high-circulation publication *Blic*, writing, "[I]f you are lesbian, gay, bisexual, or transgender, know that the United States stands with you, and we are unwavering in our commitment."
- In India, the U.S. Embassy hosted a public discussion with Mayur Suresh, one of the lawyers who successfully challenged the section of the Indian Penal Code that made homosexuality a punishable offense.
- In Jamaica, El Salvador and Panama, local media widely published U.S. Ambassadors' op-eds on the rights of LGBT persons.

### **Strengthening The Department's Personnel and Consular Policies**

- As one of her first acts in office, Secretary Clinton directed a review of whether the State Department could extend additional benefits to domestic partners. Following President Obama's 2009 memorandum on same-sex domestic partners' benefits, the State Department announced extension of the full range of legally available benefits and allowances to same-sex domestic partners of Foreign Service staff serving abroad.
- In June 2010, Secretary Clinton revised State Department equal employment opportunity policy. As the previous policy prohibited discrimination based on sexual orientation, the new policy explicitly added protection against discriminatory treatment of employees and job applicants based on gender identity.

- The State Department revised its Foreign Affairs Manual to allow same-sex couples to obtain passports under the names recognized by their state through their marriages or civil unions.
- In June 2010, the Bureau of Consular Affairs announced new procedures for changing the sex listed on a transgender American's passport, streamlining the process and simplifying requirements to ensure greater dignity and privacy for the applicant.